

Minutes of the
City Commission for the City of Traverse City
Regular Meeting
November 7, 2016



A regular meeting of the City Commission of the City of Traverse City was called to order at the Commission Chambers, Governmental Center, 400 Boardman Avenue, Traverse City, Michigan, at 7 p.m.

The following Commissioners were in attendance: Mayor Jim Carruthers, Mayor Pro Tem Ross Richardson, Brian Haas, Gary Howe, Richard I. Lewis, Amy Shamroe, and Tim Werner.

The following Commissioners were absent: None.

The Pledge of Allegiance was recited.

Mayor Carruthers presided at the meeting.

Presentation of appreciation by City Manager Marty Colburn and the Grand Traverse County Senior Center Network to Police Chief Jeffrey O'Brien for the Police Department's support during the *Hometown for Heroes* event in Traverse City on October 18, 2016.

Presentation of appreciation by Police Chief Jeffrey O'Brien to School Resource Officer Jenilynn Oster for an outstanding investigation in the Operation Sweetie Heroin Case.

As requested by Commissioner Lewis, Agenda Item 2(j) was removed from the Consent Calendar for individual consideration by the Commission.

As requested by Mayor Pro Tem Ross Richardson, Agenda Item 2(m) was removed from the Consent Calendar for individual consideration by the Commission.

As requested by Commissioner Haas, Agenda Item 2(l) was removed from

the Consent Calendar for individual consideration by the Commission.

As requested by Commissioner Werner, Agenda Item 2(d) was removed from the Consent Calendar for individual consideration by the Commission.

2. Consent Calendar

Moved by Shamroe, seconded by Haas, that the following actions as recommended on the amended Consent Calendar portion of the Agenda be approved:

- a. the minutes of the October 17, 2016 Regular Meeting, and the October 24, 2016 Special Meeting, be approved.
- b. the Resolution Approving the Editing and Inclusion of Certain Ordinances as Part of the Various Component Codes of the Codified Ordinances which includes the recompilation of the entire Traverse City Code of Ordinances, be adopted.
- c. the City of Traverse City Resolution to Comply with the requirements of Public Act 152 of 2011, which establishes that the city will pay no more than 80% of the health care costs for any employee group or union, be adopted.
- d. Removed from the Consent Calendar.
- e. the City Manager be authorized to issue a purchase order to Signature Ford in the amount of \$57,845.00 for the purchase of one 2017 Ford F150 and one 2017 Ford Flex to be used by the Police Department with funds available in the Garage Fund for this planned purchase.
- f. the City Manager be authorized to issue a purchase order to Atlantic Machinery in the amount of \$393,107.00 for one 2017 Western Star 4700SF's cab and chassis with Vac-Con combination jet/vacuum sewer cleaning equipment package with funds available in the Garage Fund for this planned vehicle and equipment replacement purchase.
- g. the City Manager be authorized to issue a service order to Lucity, Inc. in the

amount not to exceed \$28,375.00 for implementation of the asset and work order software subscription, with funds available in the Auto Parking Fund.

- h. the City Manager be authorized to declare equipment #238, Gledhill leaf loader and equipment #251, a leaf collection box surplus and available for auction.
- i. the City Manager be authorized to issue a confirming purchase/service order in the amount of \$15,499.29 to Lemmen Oil Company for 10,006 gallons of unleaded gasoline priced at \$1.549 per gallon with funds available in the Garage Fund.
- j. Removed from the Consent Calendar.
- k. the City Commission authorizes the use of \$8,298.17 in funding from the Special Assessment Fund to extend the alley paving work associated with Special Improvement District 2016-003 (authorized at the September 6, 2016, City Commission meeting); and that the City Clerk be authorized to certify the City Commission's acceptance of a 20' x 24', public street easement as generally outlined in the packet materials for the November 7, 2016, meeting of the City Commission.
- l. Removed from the Consent Calendar.
- m. Removed from the Consent Calendar.

CARRIED unanimously.

Items removed from the Consent Calendar

a.

Consideration of authorizing a contract for the 2016 Larry C. Hardy Parking Garage Office Renovation Project.

The following addressed the Commission:

Tim Lodge, City Engineer

Nicole VanNess, Parking Administrator

Moved by Lewis, seconded by Richardson, that this item be considered at the November 14, 2016, meeting.

CARRIED unanimously.

b.

Consideration of authorizing a letter of engagement for professional legal services associated with a tax appeal from Grand Traverse Hotel Properties (Hotel Indigo).

The following addressed the Commission:

Marty Colburn, City Manager

Moved by Richardson, seconded by Shamroe, that the Mayor and City Clerk execute a letter of engagement with FosterSwift, P.C. in the amount not-to-exceed \$15,000 for professional legal services to represent the City against the pending Michigan Tax Tribunal from Grand Traverse Hotel Properties, d/b/a Hotel Indigo, in connection with its property located at 263 West Grandview Parkway, such agreement subject to approval as to its substance by the City Manager and its form by the City Attorney, with funds to come from the City Assessor's Budget.

CARRIED unanimously.

c.

Consideration of accepting the sanitary sewer easement from Uptown Development.

The following addressed the Commission:

Marty Colburn, City Manager

Lauren Tribble-Laucht, City Attorney

Moved by Haas, seconded by Shamroe, that the City Commission accepts

the Sanitary Sewer Easement from Uptown Development, T.C., LLC and that the City Clerk be authorized to execute the acceptance.

Timothy Lodge, City Engineer

CARRIED unanimously.

d.

Consideration of authorizing a confirming service order for the emergency repair of an outlet riser pipe in connection with stormwater basin servicing.

The following addressed the Commission:

Marty Colburn, City Manager

Tim Lodge, City Engineer

Moved by Lewis, seconded by Werner, that the City Manager be authorized to issue a confirming service order to Molon Excavating, Inc. in the amount of \$11,600.00, for emergency repair and replacement of the stormwater basin outlet structure, with funds available in the Stormwater Funds.

CARRIED unanimously.

3. Old Business

3(a).

Public hearing regarding a request for a Special Land Use Permit from Munson Medical Center to construct a family birth and children's center at 1105 Sixth Street, as recommended by the Planning Commission, and consideration of adopting an Order Approving the Request.

The following addressed the Commission:

Marty Colburn, City Manager

Steve Tongue, Munson Medical Center Vice President of Facilities and Support Services

Mayor Carruthers opened the public hearing.

The following addressed the Commission:

Rick Buckhalter, 932 Kelley Street

There being no one further desiring to speak, Mayor Carruthers closed the public hearing.

Moved by Richardson, seconded by Lewis, that the Order Granting Special Land Use Permit No. 16-SLUP-01 to allow for the construction of a 110 foot tall building for the purposes of a family birth and children's center at 1105 Sixth Street, with conditions, as recommended by the Planning Commission, be adopted.

Lauren Tribble-Laucht, City Attorney
Benjamin Marentette, City Clerk

Mayor Pro Tem Richardson, with agreement by Commissioner Lewis, withdrew the motion.

Russell Soyering, City Planning Director

Moved by Howe, seconded by Haas, that the Order Granting Special Land Use Permit No. 16-SLUP-01 to allow for the construction of a 110 foot tall building for the purposes of a family birth and children's center at 1104 Sixth Street, with conditions, as recommended by the Planning Commission, be adopted; and that the factual findings as articulated by the City Commission at the meeting of November 7, 2016, and orally reviewed by the City Clerk at the same meeting be incorporated into the record.

CARRIED unanimously.

3(b).

Public hearing on a request from Munson Medical Center to vacate a portion of Sixth Street for a family birth and children's center at 1105 Sixth Street.

The following addressed the Commission:

Marty Colburn, City Manager
Russell Soyering, City Planning Director
Chris DeGood, AECOM
Steve Tongue, Munson Medical Center Vice President of Facilities and Support Services

Mayor Jim Carruthers opened public hearing:

The following addressed the Commission:

Mary Beth Milliken, 7580 East Shore Road, Peninsula Township, on behalf of Milliken Medical Building and the practicing physicians

There being no one further desiring to speak, Mayor Carruthers closed the public hearing.

Timothy Lodge, City Engineer
Lauren Tribble-Laucht, City Attorney
Benjamin Marentette, City Clerk

Moved by Lewis, seconded by Shamroe, that the Resolution Deeming it Advisable to Vacate a Portion of Sixth Street, as recommended by the City Planning Commission, be adopted.

CARRIED unanimously.

3(c).

Consideration of adopting a policy regarding payment in-lieu-of-taxes (PILOT) arrangements as recommended by the City Commission Ad Hoc Committee and consideration of adopting a fee for such requests; and consideration of establishing a committee to make policy recommendations regarding housing supply and affordability.

The following addressed the Commission:

Marty Colburn, City Manager
Polly Cairns, City Assessor
Benjamin Marentette, City Clerk
Lauren Tribble-Laucht, City Attorney

Moved by Lewis, seconded by Howe, that the Policy for Payment in Lieu of Taxes (PILOT) be adopted; and that the City Commission establishes a non-refundable fee of \$1,800 for PILOT requests as recommended by the City Clerk, with the fee to be incorporated into the City's Directory of Charges.

CARRIED unanimously.

4. New Business

4(a).

Consideration of authorizing an agreement for professional design services for an additional water reservoir at the Barlow Reservoir Site

The following addressed the Commission:

Marty Colburn, City Manager

Moved by Lewis, seconded by Richardson, that the City Commission waives the competitive bidding process and that the Mayor and City Clerk execute an agreement with Prein & Newhof in the amount of not-to-exceed \$98,200 for professional design services for the 2017 Two Million Gallon Water Reservoir Project (at the Barlow Reservoir Site), with funds available in the Water Fund.

Dave Green, Director of Public Services

CARRIED unanimously.

5. Appointments

5(a).

Consideration of appointing an ad hoc interview committee to make recommendation regarding one appointment to the Election Commission.

Moved by Shamroe, seconded by Richardson, that Kris Elliott be reappointed to one three-year term expiring December 9, 2019, seat previously held by Kris Elliott, on the Election Commission.

CARRIED unanimously.

5(b).

Consideration of appointment of an ad hoc interview committee to make a recommendation regarding one appointment to the Brown Bridge Advisory Committee.

Moved by Lewis, seconded by Werner, that the resignation of Michael Kreft dated September 15, 2016 from the Brown Bridge Advisory Committee, be accepted and that an ad hoc interview committee be established to make a recommendation regarding one unexpired three-year term expiring October 1, 2018, on the Brown Bridge Advisory Committee, seat previously held by Michael Kreft; and that Commissioners Shamroe, Werner, and Haas be appointed to such committee, with Commissioner Shamroe to serve as chair.

CARRIED unanimously.

5(c).

Consideration of appointment an ad hoc interview committee to make recommendation regarding one appointment to the Board of Tax Review.

Moved by Haas, seconded by Shamroe, that Dan Stiebel be reappointed to one three-year term expiring December 31, 2019, seat previously held by Dan Stiebel, on the Board of Tax Review.

CARRIED unanimously. (Richardson temporarily left the room)

6. Reports and Communications

The following were received and filed:

- a. Reports, announcements and correspondence from the City Manager.
- b. Announcements from the City Clerk.
- c. Reports, announcements and correspondence from the Mayor and City Commissioners.
- d. Reports and correspondence from other City officials, boards and committees.
 - 1. Reports from members of the Commission serving on boards.
 - 2. Minutes of the Arts Commission meetings of September 21, 2016, and October 3, 2016.
 - 3. Minutes of the Act 345 Retirement System meeting of August 31, 2016.
 - 4. Quarterly Financial Report for the fourth quarter which ended June 30, 2016, from the City Treasurer/Finance Director.
- e. Reports and correspondence from non-City officials.
 - 1. Quarterly Parking Services Report for July through September 2016.
 - 2. Minutes of the Traverse Area District Library Board of Trustees meeting of September 15, 2016.
 - 3. Monthly Operations Report for the Wastewater Treatment Plant from CH2M for September 2016.

7. Public Comment

The following addressed the Commission:

1. Reserved.

None

2. General.

Mark Breederland, Michigan State University, 9483 East Harbor
Hills, Elmwood Township

Rick Buckhalter, 932 Kelley Street

Ross Richardson, 10675 Candleton

3. Mayor and City Commissioners.

Commissioner Amy Shamroe

Commissioner Gary Howe

Commissioner Tim Werner

Commissioner Brian Haas

Commissioner Richard Lewis

Mayor Jim Carruthers

8. Adjournment

There being no objection, Mayor Jim Carruthers declared the meeting
adjourned at 10:14 p.m.

Benjamin Marentette, MMC
City Clerk

Approved: _____, _____
(Date) (Initials)